

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 05-CR-20002-3

MAXWELL GARNETT,

Defendant.

OPINION AND ORDER DENYING DEFENDANT'S "MOTION TO STAY"

On March 14, 2008, Defendant Maxwell Garnett filed the instant "Motion to Stay," requesting additional time to comply with Federal Rule of Appellate Procedure 10(b) (governing the ordering of trial transcripts) to allow Defendant's current attorney to withdraw and for substitute counsel to be appointed.¹ There is, however, no need apparent to the court for a stay of proceedings. Neither the filing of a notice of appeal or the ordering of trial transcripts are complicated, and the court knows Defendant's counsel of record to be well-acquainted with the appellate process.²

IT IS ORDERED that Defendant's "Motion to Stay" [Dkt. # 201] is DENIED.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

¹ The court expresses no belief here that withdrawal should be permitted or that Defendant qualifies for appointment of publically-funded counsel. In fact, the court doubts that either is the case.

² Also, Defendant's motion includes no statement of any attempt to seek concurrence to determine whether there would be opposition by the other party. See E.D. Mich. L.R. 7.1(a).

Dated: March 20, 2008

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, March 20, 2008, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522
